IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3509/2003

PREM SINGH Vs. STATE OF RAJASTHAN & ORS.

DATE: 12.09.2007

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. D.K. Garg for the petitioner.
Mr. B.S. Chhaba, Dy. GA for the State

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The instant writ petition has been preferred by the petitioner after serving legal notice through his counsel with the request that the investigation with regard to FIR No. 24/2003 registered at Police Station Rajakhera, District Dholpur be changed and to appoint an independent Investigating Officer since the respondents are not able to complete the investigation after lapse of more than 4 years.

Having considered the submissions made on behalf of the respective parties, It is not disputed that the investigation is still going on and no challan/F.R. has been submitted by the investigating agency with relation to FIR No. 24/2003 registered for the offence under Sections 363, 364 and 302 IPC. The petitioner should have approach to the concerned

authority for change of investigation before filing this writ petition.

In case the petitioner represents before the concerned authority for change of investigation, the authority concerned is expected to consider the same looking to the facts and circumstances of the case, but in any case, this Court do not want to issue any writ or direction to this effect.

Consequently, the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

/KKC/